

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ANITA D. PARATLEY,

No. C-05-4312 MMC

Plaintiff,

**ORDER CONDITIONALLY GRANTING
PLAINTIFF'S MOTION TO AMEND
COMPLAINT; VACATING HEARING**

v.

CONSECO HEALTH INSURANCE
COMPANY,

Defendant

Before the Court is plaintiff Anita D. Paratley's Motion to Amend Complaint, filed June 15, 2006, by which plaintiff seeks to leave to file a First Amended Complaint ("FAC") to add a new defendant, Consecos, Inc. Defendant Consecos Health Insurance Company has not filed opposition.

Having reviewed the papers filed in support of the motion, and no opposition having been filed, the Court hereby GRANTS the motion,¹ on condition plaintiff file her proposed FAC no later than July 21, 2006, serve Consecos, Inc. and file proof of such service no later than August 18, 2006. If, as of August 18, 2006, plaintiff has not filed proof of service within the time provided herein, the Court will strike the FAC, and the action will proceed on the original complaint.

IT IS SO ORDERED.

Dated: July 18, 2006


MAXINE M. CHESNEY
United States District Judge

¹The hearing scheduled for July 21, 2006 is hereby VACATED.